27/1/07

Previous references.
Same file No 304
B. Jan 06.

1906.
(Legislation)

File No. 8 of 05
Serial Nos. 5 6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5 – 8'

Part B. for Dec 06

SUBJECT.

Amendment of Sec 8 of the Legal Practitioner's Regulation

Serial no 5

Table of Contents

To the Registrar, Chief Court No 7468 d/ 18.4.07

Forwards for a reconsideration of the previous orders, a memorial from the 2nd grade pleaders of Chittagong praying that they may be enrolled as 1st

G. R. S. 58

G. R. S. 11 | 1906.

GENERAL AND REVENUE SECRETARIAT

(Legislative)

NOTES.

File. No 8/a

FILE HEADING.

Amendment of Sec: 8 of the Legal Practitioners Regulation

From

The Registrar of the Chief Court.

No. 7468 Dated 18.4.06 Received 21.4.06

Diary No. 2678 | Enclos. 4 | Spare Copies. | Serial No. 5

BRIEF ABSTRACT OF LETTER.

Forwards, for reconsideration of the previous orders, a memorial from the 2nd grade pleaders of Chuckmagla praying that they may be enrolled as 1st grade Pleaders on the strength of the Sub-Judge's certificates as to their fitness to plead before the Sub Court.

NOTES AND ORDERS.

Submitted. This question came up for consideration several times before this. 2th December 1902, when the Munsiffs Courts at Hassan, Chuckmagla and Chitaldrug were abolished and Sub

B Rice 19/4/06 7/12/06

NOTES—First sheet.

MGCPB—30,000—17-2-05.

Serial No.

Court established in stead, the Chief Court, considering the hardship caused to the 2nd grade Pleaders at those places, permitted them to practice before the Sub Judges in cases falling within a Munsiffs jurisdiction. This proceedings of the Chief Court was forwarded to Govt who took objection to it as being opposed to law, and asked the Chief Court whether any need for amending the Regulations was there. The Chief Court replying in the negative the matter was dropped. Some time after the Chief Court cancelled their proceedings but recommended to Govt at the same time an amendment of the Legal Practitioners Regulation Sec: 8, favorably to the 2nd grade Pleaders. This Govt however thought the change unnecessary and replied accordingly. The affected Pleaders have, since then, been agitating the question, submitting memorials direct and thro the Chief Court. This Govt have always adhered to their first opinion, which the Chief Court have always been in favor of

@ vide para 2 of letter No. J 1446, dt 18-3-03.

Flag O (on the linked file)

× Legs File 20 of 04 & 1 ors put up Flag Z

Vide No. J 1399-Leg 20-2, dt 30-11-04. (Z)

Flags X, P, T.

vide Leg: File No. 8 of 05, Sl: no. 2; do- do- Sl: no. 4; Ch: File 10 of 05, Sl: no. 26.

NOTE—Contn. sheet

Serial No.	
	Jud 6-5-06
	Submitted 12/5/06 Z
	6 Done 12-5-06
6	The Registrar of the Chief Court of Mysore no: J 3187 & 15.5.06. Enquires whether the Chief Court recommends merely an alteration of the rules under the Legal Practitioner's Regn, so as to permit 2nd grade pleaders to a high grade or whether it wishes the Regn itself to be altered
	From
7	The Same officer..
Paper under disposal	Letter no: 61/10 & 3rd July 1906 States that the proper, leg and just amendment is that re- -commended to be made in the Legal Practitioners Regn itself, in his letter no: 255 J 9/143 & 5.11.04, as it difficult to frame an alteration in the rules to be in consonance wi the Regulation.
7	Submitted for orders. The Chief Co in the letter referred to in above proposes to ame
Flag Z ans: Fl. no: 20-04 S. no. 1	13.7.06

GPB—50,000—23 10-05

Serial No.

to other Nations where there are Mussulman Courts

(2) The present case has, I think an intimate connection with the question whether ~~it is necessary to~~ continue the Sub Courts at Chittagong and Akyab have justified their ~~creation~~ existence, & whether, in the interests of the litigant public, it is necessary to keep them on. This question is now, I believe before the Retrenchment Committee, & will no doubt be considered and disposed of by them at an early date -

(3) I may note the question of amending the Legal Practitioners Act (which would be necessary if the Sub Courts were abolished) but this may for the present ?

To Secretariat 18/7

20/7/06

621
20-7-06.

12

by
20.7.06

I am not in favour of the proposed amendment of the L.P. Act because I do not consider it concerned in the best interests of efficient judicial Admn - In this view I would certainly vote for the question being decided as proposed above by the Legs

Note—Contn. sheet

GPB—50,000—23 10-05

1718 6/8/06

by
7.8.06

Serial No.

Dewan's order

13 The file may be circulated to 2nd C.r

BO CSB 20/8/06

To 2nd C.r

ks 24/8/06

ks 24.8.06

14 The proposal to abolish the subordinate judges Courts at Chicacole & Nasarao has taken a practical shape. the Chief Court having also concurred in it It is only a question of time when the proposal will be brought into force the Complaints of the 2nd grade Pleaders will then cease to exist

15 The proposed amendment of the Legal Practitioners Regulation is one of drudgery and may put on the shelf

Dewan 25/8/06

ks 25/8/06

Kt Kottamraju

ks 25/8 24/8/1906 2d Dewan

Submitted to His Highness.

16 This is a proposal by the Chief Court for an alteration of the Rules under the Legal Practitioners' Regulation, so as to allow Pleaders of the 2nd grade to appear and plead in the courts of Subordinate Judges.

17 The question is not new and has more than once received the consideration of Government. In His Highness' order, dated 10th December 1905, His Highness was pleased to agree with the views of the late Dewan and First Councillor, that no amendment of the existing law was necessary.

Pr 6 of Colln flagged I

18 Now that the question of abolishing the Sub Courts at Hassan and Chickmaglur is engaging the attention of the Retrenchment Committee, it seems undesirable and unnecessary to make the suggested alteration which is mainly intended for the benefit of the 2nd grade pleaders of these places.

19 The Councillors think, and I agree with them, that the proposed measure may lie over for the present. If approved, the Chief Court will be informed accordingly.

/B Madhava Rao

22/1/1907

9

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

29.8.06 185

20 Proposal to amend the Legal Practioner's Regulation so as to admit of 2nd grade pleaders appearing and pleading in the Subordinate Judge's Courts.

201

Order.

24 Approved

~~KRW~~

30/8/06

182 31.8.06

Dewan's order

22 Please issue

ISO

CSB

31/8/06

23 Let me see draft

24 Publish draft

1.9

Legis 3/9/06

G.R.S. 12]
General and Revenue Secretariat.

Legs File No. 8 of 1905

(55) 0

Serial No.	
	Subd with a draft order SW 5/9/06 Seen) Ken 7-9 06 25 Jones 10/9/06 Ken 10/9
8	To the Registrar of the Chief Court of Mysore No 9687 of 13/9/1906 States that the matter may be over for the present as no change seems desirable.

Seen
KPM
9/9/07

Seen
A.h.M.
9/9/07

NOTE—Contn. sheet

GPB—50,000—23 10-05

K 7468 Smt 387 III Dues 2/4

Leg 2168 of 05 Ol. no. 5.

1

J 2678

Bangalore,

18th April 1906.

From,

V.A.Rajaratna Mudaliar Esquire,

Registrar, Chief Court of Mysore.

To,

B.K.Venkatavaradiengar Esquire,

Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

I am directed to submit, for information of Government and reconsideration of their order conveyed in your No.J.1399/Leg.10-2 dated 30th November 1904, copies of the marginally noted papers re the application of the 2nd grade pleaders for being allowed the concession of being made 1st grade pleaders.

Reg 2 S.No 2 of Leg 7:10-1905.

1. Memorial of the 2nd grade pleaders of Chickmaglur.
2. Judge's notes thereon.
3. Shimoga Distt:Judge's letter No. 2702/541 dated 6th April 1906 with copy of Chickmaglur Sub-Judge's letter received with it.

I have the honor to be,

Sir,

Your most obedient servant,

V Rajaratnam

Registrar.

Jd

2

To,

The Hon'ble Chief Court of Mysore at Bangalore.

May it please your Honors,

We, the 2nd grade Pleaders, who were practising in the Sub Judge's Court at Chickmaglur most humbly beg leave to submit the following memorial for Your Honors' kind and favourable consideration.

The humble memorialists were practising in the Munsiff's Court at Chickmaglur, which has since been abolished and the present Sub Court was formed in its stead in January 1903.

The memorialists were under the Chief Court's proceedings No. 4265-66/173 dated 24th January 1903, kindly allowed to practise in the said Sub Court in all cases falling within the pecuniary jurisdiction of the Munsiff and they continued to practise as such till September 1904 when they were under the Chief Court's Pro:No.1892-93/80 dated 19th September 1904 debarred from so practising any further.

Many of the humble memorialists are advanced in life and are burdened with large families entirely depending upon the income of their practice in the local Civil Court. They settled at Chickmaglur long ago and they have more or less become permanent residents of the place.

The order debarring the humble memorialists from practising in the Sub Court as heretofore is the greatest misfortune that can befall them especially in these hard times.

That under the former rules 2nd grade pleaders used to be promoted to the 1st grade on the strength of two years' practice and on the recommendation of the presiding Judge as to their qualifications. The humble memorialists have been practising for a very long time.

Therefore the humble memorialists most respectfully

pray

pray that their qualifications may be ascertained from the presiding Sub Judge at Chickmaglur and similar concessions may kindly be shown to them by promoting them to the 1st grade.

Chickmaglur,
1st March 1906.

We beg to remain,
Your Honors' most obedient servants,
Sd.M.A.Narasimhachar.
Sd.B.Seenappa (in canarese)
Sd.H.P.Ramaswamiengar.
Sd.M.R.Sundaram Iyer.

Copy
Registrar

Ad

6

From,

S.R.Subraya Iyar Esquire,

District Judge, Shimoga Division.

To,

V.A.Rajaratna Mudaliar Esquire,

Registrar of the Chief Court of Mysore,

Bangalore.

Dated 6th April 1906

Camp - Chickmaglur.

General No.2702/541

Enclosure No. One.

Sir,

With reference to your docket No.6921/477 dated 20th ultimo requesting me to ascertain from the Sub-Judge, Chickmaglur and to report whether the Advocates and pleaders of the 1st grade now practising at Chickmaglur are sufficient for the amount of case work in his Court and also whether the restriction of the conduct of cases to the said advocates and pleaders is not oppressive to petty suitors, I have the honor to forward herewith a copy of letter No.330 dated 31st ultimo from the Subordinate Judge, Chickmaglur furnishing the information called for and to state that I concur with the Sub Judge in thinking that for meeting the convenience of the litigant public, it is desirable that the number of pleaders practising at Chickmaglur should be increased and that to secure this object, the pleaders of the 2nd grade specified in the Sub Judge's letter and who were once practising in the Munsiff's Court at Chickmaglur may be promoted to the 1st grade, if such a course is feasible.

Under the rules once in force but since repealed, published under Notification No.273 dated 18th February 1879, a pleader of the 2nd grade who produced a certificate of having practised with good reputation for a space of two years and of being

being qualified to be admitted as a pleader of the 1st grade was promoted to that grade and these rules may perhaps, it is respectfully suggested, be revived and made applicable to the 2nd grade pleaders in question.

I have the honor to be,

Sir,

Your most obedient servant,

Sd. S.R.Subbaraya Iyer,

Dist:Judge, Shimoga Dn .

'Copy'

Registrar.

G.R.S. 26]

10

Leg

File No

Serial No

Diary No. of letter replied to

No. 7 3187.

General and Revenue Secretariat
(Legislative)
the 190

To The Registrar of the Chief Court of Mysore

Date of issue 15. 5. 06

Signed by Mr. K.S. Chandrasekhara Iyer.

His letter No. 7468/387 dt the 18th April 1906 regarding the application of the 2nd grade leaders of the Kolar Bar for being allowed the concession to be promoted to the 1st grade on the strength of 2 years practice and on the recommendation of the presiding Judge of the Court in which they practise

db 16-5-06

I am directed to state that it is not clear from the above letter whether the Chief

over.

SUBJECT.

nt recommends merely the
Abrogation of the Rules under the
al Practitioners Regulation
as to allow of second grade
aders being permitted to
her grade* or whether it
shes the Regulation itself
be altered. The Registrar
requested to make the point
ear, and in the former case
dicate the exact manner in
ich the rules are desired
be altered.

By order,

Dr Secretary.

12/5/06

*Vide the rules of
Jurisdiction round Navyandurgge
and Ranganwandidurgge

List of enclosures.

Copied by

Examined by

MGCPB—30,000—16-2-05

No. 61/10

12

J 50

F. no 8
S. no 7

Bangalore,

3rd July 1906.

From,

V.A.Rajaratna Mudaliar Esquire,

Registrar, Chief Court of Mysore.

To,

K.S.Chandrasekhara Aiyar Esquire, B.A.B.L.,

Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

With reference to your docket No.J.3187 dated 15th Ultimo requesting certain information regarding the application of the 2nd grade pleaders of Chickmaglur to be promoted to the 1st grade, I am directed to state that in the opinion of the Chief Court the proper, legal and just amendment is that recommended to be made in the Legal Practitioners' Regulation itself in this office letter No.2559/143 dated 5th November 1904. It is difficult to frame an alteration in the Rules under the said Regulation so as to be exactly in consonance with the Regulation and the above amendment in the Regulation was suggested after full consideration.

Copies: F. no: 20 – 04
S. no: 1
Leaf 2

I have the honor to be,

Sir,

Your most obedient servant,

Registrar.

15

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Judges' Courts at Hassan and Chikmagalur ~~are located~~ is engaging the attention of the Retrenchment Committee, the Govt are of opinion that it is undesirable and unnecessary to make any change in the existing law for the benefit of ~~the~~ a few ~~2nd grade~~ pleaders ~~of those places~~ and they therefore direct that the matter ~~be allowed to~~ do lie over for the present

By order &c.

Secretary to Govt

To The Registrar Chief Ct

SW
5-9-06

Despatched by Mk 12-9-06
Dated 5-9-06